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showing the foundation on which the military power rests. This foundation is the inherent ability of a government to take necessary steps for the safety of the governed. Such steps are properly classed as acts of state.

The United States met many questions involving acts of state shortly after the Phillipine Islands were acquired, and the reader is referred to the Insular cases which when examined from this point of view assume an even more interesting aspect than they ordinarily present. Great Britain has had similar cases dealing with the status of colonies acquired in war (See *Cook v. Sprigg*, (1899) A. C. 572,) and in this connection while treating the perplexing problem of the relation of a sovereign state to the citizens of territory so acquired Mr. Moore says:

"In the United States it has been repeatedly affirmed that the new government upon a cession succeeds merely to sovereignty; that all rights of property remain unimpaired, and that, independently of any treaty, the new subjects have the ordinary rights of subjects in property as against the government."

It has been possible in the space at hand to indicate merely in a general way a few of the most interesting features of this book, but it may be truthfully said that it will repay study. It is likely to be of practical use only to the international lawyer, but it is instructive to every reader because it helps to define a hitherto doubtful legal borderland, and furnishes an interesting historical reason for a series of actions which if viewed independently might readily seem arbitrary in the extreme.

T. J. G.

THE GOVERNMENT OF INDIA, Being a Digest of the Statute Law Relating Thereto, With Historical Introduction and Explanatory Matter. By SIR COURTENAY ILBERT, K.C.S.I., Sometime Law Member of the Council of the Governor-General of India. Second Edition. Oxford: The Clarendon Press. 1907. Pp. xxxii, 408.

This is a revised edition of a book published in 1898. It deserves, in our judgment, unstinted praise. The always fascinating subject of the British power in India is treated from the point of view of the lawyer and administrator, and for conciseness and at the same time completeness of treatment the work is of signal excellence.

The first chapter sets forth a satisfactory and interesting resumé of the history of India so far as the same is necessary to a clear understanding of the general subject. To this is

prefixed a table showing important data of Indian events, side by side with the leading dates in general history. In this way a setting is furnished for the subsequent matter, at once necessary, and at the same time presented with admirable judgment as to its relation to the main purpose of the book.

In the second chapter the author considers the system of administrative law in force in India. It is impossible to indicate in this review even an outline of the development of this topic for the treatment is condensed to a degree that makes further efforts to summarize almost impossible. We cannot, however, pass without mention the discussion of the financial system (p. 133) and of the relation of the imperial authority to the "Native States." With respect to these latter the varying degree of local authority existing among them is explained, and the general control by the British Government, existing in every instance, is summarized as follows (p. 139):

"In the case of every Native State the British Government, as the paramount Power—(1) exercises exclusive control over the foreign relations of the State; (2) assumes a general, but limited, responsibility for the internal peace of the State; (3) assumes a special responsibility for the safety and welfare of British subjects resident in the State; and (4) requires subordinate co-operation in the task of resisting foreign aggression and maintaining internal order."

It would be interesting to follow out briefly the discussion of the treatment accorded to these different forms of supervision were this possible.

"The third chapter is a digest of the existing Parliamentary enactments relating to the government of India, with explanatory notes."

These are admirably classified, and here as elsewhere throughout the book marginal notes give great assistance to the reader. To this chapter is appended a table setting forth a comparison between the statutory enactments and the author's digest, enabling one to find immediately the page at which any Act of Parliament relating to India which has been digested, or if it has been omitted the reason therefor.

In the fourth chapter questions in connection with the application of English law to the Natives of India are discussed, and it is shown with remarkable clearness to what extent religious and local customs and ideas, negative in some cases, the advisability of the application of ordinary English rules. Particularly is this true it is said within the domain of family law, including the greater part of the law of succession and inheritance, marriage, adoption, etc., (p. 337).

In the fifth and concluding chapter the author's purpose, as defined by himself, has been

"to explain and illustrate the legal relations between the Government of British India and the Government of the Native States by comparison with the extra-territorial powers exercised by British authorities in other parts of the world, such as the countries where there is consular jurisdiction, and in particular the modern protectorates."

The subject itself discloses as well its interesting as its difficult character, but the chapter is full of suggestive thought and quite on a par in merit with the rest of this excellent book.

While a discussion of British power in India will naturally appeal most strongly to Englishmen, still to many citizens of the United States the subject possesses a singular attraction, and with the modern colonial problems of our own country a book such as this work of Sir Courtenay Ilbert's will find a ready welcome among all those who are anxious either to understand or to treat intelligently, problems arising in connection with the government of territory peopled by races differing from our own in traditions and customs.

H. W. B.

CASES ON EQUITY JURISDICTION. In two volumes with sundry notes and references. By JAMES BROWN SCOTT, Solicitor for the Department of State, Professor of International Law in the George Washington University. New York: Baker, Voorhis & Co. 1906. Pp. xiv, 781; x, 810.

"The present collection is meant to be a first book in equity. It is, therefore, an introduction and a guide, and as such deals with fundamental and underlying principles. It is believed that there is a place for such a work, and that a thorough familiarity with the essentials of the subject should precede the detailed study of the various topics of equity jurisprudence.

"For this reason the first four hundred pages of the work deal with the origin, the nature, the extent and limitations of equity, the interrelation of law and equity, and the principles and maxims controlling the administration of equity. The cases selected for this part of the work do not merely illustrate; they develop the doctrine, and it is believed that a careful study of the various cases composing this part will prepare the student to cross the threshold and examine in detail with fulness of knowledge the various phases of the subject."

These paragraphs, expressing the professed purpose of this accomplished author, describe with great clearness the first part of this collection of cases. Following this preliminary matter the cases and authorities printed refer to Equitable Rights, being grouped under the general heads, Accident, Mistake, Fraud, Notice, Estoppel and Conversion, Reconversion and Election. Cases relating to Remedies are then taken up under the divisions, Injunctions in cases of Waste, Trespass, Nuisance and Labor Disputes, Specific Performance, and Rescission, Reformation and Cancellation of Instruments.